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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,386	11/10/2000	Thomas Anthony Stahl	RCA88884	3550

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EXAMINER

NGUYEN, HUY THANH

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/582,386

Applicant(s)

STAHL, THOMAS ANTHONY

Examiner

HUY T NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04 October 2004 has been entered.

Claim Objections

2. Claims 5 and 10 are objected to because of the following informalities: See below. Appropriate correction is required.

In claim 5 lines 2-4, it is not clear if the digital disc player recited at line 2 is the same as the digital video displayer recited at lines 4-5.

In claim 10 line 8, there is no clear antecedent basis for "the reformatted program content".

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komeno (6,351,599) in view of Stahl et al (6,665,020).

Regarding claims 1 and 3, Komeno discloses a method for operating a digital video player (14) interconnected by a digital bus to a digital video processing apparatus (11), the digital video processing apparatus performing the steps, of

receiving from a digital video player a program content stream representative of a programmed event, said program content stream including data in a compressed format (column 4, lines 1-11) (column 3, line 65 to column 4, line 11).

decoding (13) said program content stream in said digital apparatus to generate a suitable display image ;

receiving from said digital video player bit-map data representative of a subpicture (menu information) associated with said program content stream (menu), the bit-map data being suitable for display said bit-map data received from said digital video disc player (column 4, lines 1-11); and combining (12d,12a) the decoded program content stream and bitmap subpicture data to produce a signal representative of a combined image suitable for display (column 3, lines 5-31(column 5, line 60 to column 6, line 15).

Komeno fails to teach that the compressed data is expanded in the digital processing apparatus and the program content and bitmap are transmitted to the processing apparatus by a first type mechanism and second type mechanism respectively .

Stahl teaches a player connected to a TV (processing apparatus) (Figs 2,5), the compressed program content is transmitted to a TV by a first type mechanism and is expanded by a expanding means (MPEG decoder) in the TV and bitmap menu information OSD from the Player is transmitted to the TV by a second type mechanism (column 8, lines 1-15). It would have been obvious to one of ordinary skill in the art to modify Komeno with Stahl by using the teaching of Stahl to provide a expanding means in TV for receiving the compressed program content from the disc player and using a first type mechanism and second type mechanism as taught by Stahl for transferring the compressed program content and bitmap stream from the disc player to the TV thereby enhancing the capacity of the TV and reduce an amount of processing data performed by the disc player .

Regarding claims 2 and 4 , Komeno as modified with Stahl further teaches updating the subpicture data since the subpicture data comprises the subtitle and information related to the program can be generated under user control (See Stahl column 8, lines 25-65) .

Regarding claims 8 and 9, , Komeno as modified with Stahl further teaches using a 1334 bus having isochronous and asynchronous mechanisms for transferring the program content and bit map subpicture data (See Stahl column 2, lines 60 to column 3, line 11, column 8, lines 1-15).

5. Claims 5, 7 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komeno (6,351,599) in view of Stahl and Yanagihara et al (6,211,800) .

Regarding claims 5 and 10, Komeno discloses a method for operating a digital video disc player (11) interconnected by a digital bus to a digital video processing apparatus (TV 12, Fig. 1-2) , the digital video processing apparatus performing the steps of:

(receiving from a digital video disc player a MPEG PS (stored on DVD) through a first channel (column 3, line 65 to column 4, line 11);

receiving from said digital video disc player bit-map data representative of a subpicture (menu) associated with said program content stream through a second channel , said bit-map data being suitable for display said bit-map data received from said digital video disc player (column 5, lines 60 to column 6, line 15).

Komeno fails to teach that the MPEG PS is converting to a MPEG TS and transferring the MPEG-TS through an isochronous channel .

Yanagihara teaches a digital disc player having a converter for converting a MPEG PS to a MPEG TS through an isochroous channel (Fig. 5,column 6, lines 14-20).

It would have been obvious to one of ordinary skill in the art to modify Komeno with Yanagihara by using a converter with the apparatus of Komeno for converting the MPEG- PS to a MPEG- TS and transferred the MPEG- TS and subpicture data via isochronous channel thereby enhancing the capacity and function of the apparatus to

changing the format of the reproduced data when required by the processing device (TV device).

Komeno as modified with Yanagihara further teaches using a first type transfer mechanism (isochronous transfer mechanism) for transferring the TS stream (See Yanagihara, Fig.5) but fails to teach using a second type transfer mechanism (asynchronous transfer mechanism) for transferring bitmap stream. Stahl teaches using a first type mechanism and a second type transfer mechanism for transferring the content stream data and bitmap stream from a player to a TV (Fig. 4, column 8, lines 1-15).

It would have been obvious to one of ordinary skill in the art to modify Komeno as modified with Yanagihara with Stahl by providing the apparatus of Komeno as modified with Yanagihara with a second type mechanism as taught by Stahl for transferring bitmap stream from the disc player respectively thereby reducing a amount of processing performed by the disc player.

Regarding claims 7 and 11, Komeno further teaches updating the subpicture data since the subpicture data comprises the subtitle and information related to the program can be generated under controlling by the user (See Stahl, column 8, lines 25-65).

Regarding claim 12, Komeno as modified with Stahl and Yanagihara further teaches using a 1334 bus having isochronous and asynchronous mechanisms for transferring the program content and bit map subpicture data (See Stahl column 2, lines 60 to column 3, line 11, column 8, lines 1-15, Yanagihara (Fig. 5)).

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Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yanagihara et al (6,233,393) teaches transferring the data between a digital disc player and a TV using asynchronous transfer mechanism .

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T NGUYEN whose telephone number is (571) 272-7378. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on (571) 272-7375. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

H.N


HUY NGUYEN
PRIMARY EXAMINER